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09/889256

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Commissioner of Patents and Trademarks
Washington, D.C. 20231 on August 23, 2001

Patent Application
Docket No. GJE-73
Serial No. 09/889,256

David Saliwanchik
David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Sek Chuen Chow, David Idris Pritchard
Serial No. : 09/889,256
Filed : July 13, 2001
For : Pro-Apoptotic Agents

Box PCT/MISSING REQUIREMENTS
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

The subject application was filed with an executed Declaration (37 CFR 1.63) and Power of Attorney form in the above-referenced patent application. The Applicants have received a Notification of Missing Requirements indicating that the Oath/Declaration previously submitted in the subject application was defective. Transmitted herewith is a new fully executed Declaration (37 CFR 1.63) and Power of Attorney form for the above-identified patent application. Also enclosed is a copy of the Notice to File Missing Parts that was received from the Patent and Trademark Office. Please charge the surcharge of \$130.00 to applicant's Deposit Account No 19-0065. The Commissioner is hereby authorized to charge any additional fees which may be required to Deposit Account No. 19-0065. Two copies of this letter are enclosed.

Respectfully submitted,

David Saliwanchik

David R. Saliwanchik
Patent Attorney
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Suite A-1
Gainesville, FL 32606

DRS/la

Attachments: Executed Declaration (37 CFR 1.63) and Power of Attorney form; and
Copy of Notice to File Missing Parts



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20241
www.uspto.gov

U.S. APPLICATION NO.	09/889256	FIRST NAMED APPLICANT	CHOW	ATTY. DOCKET NO.	GJE-73
SALIWANCHIK LLOYD & SALIWANCHIK A PROFESSIONAL ASSOCIATION 2421 N.W. 41ST STREET SUITE A-1 GAINESVILLE, FL 32606 6669		INTERNATIONAL APPLICATION NO. PCT/GB00/00090			
		I.A. FILING DATE 14 JAN 00		PRIORITY DATE 15 JAN 99	
DATE MAILED: 14 AUG 2001					

NOTIFICATION OF A DEFECTIVE OATH OR DECLARATION

This application fails to contain an oath or declaration acceptable under 35 U.S.C. 371(c)(4) for entry into the national stage in the United States of America. The period within which to correct the deficiency noted below and avoid abandonment is set in the accompanying Notification.

A new oath or declaration, properly identifying this application (preferably by the international application number and international filing date) is required. The oath or declaration does not comply with 37 CFR 1.497(a), (b) and (f) in that it:

1. ☒ is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
2. ☐ does not identify the application to which it is directed.
3. ☐ does not identify the inventor(s).
4. ☐ does not identify the citizenship of each inventor.
5. ☐ does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

FAILURE TO SUBMIT AN OATH OR DECLARATION IN COMPLIANCE WITH 37 CFR 1.497(a) AND (b), AND 1.497(d) WHERE APPROPRIATE, WITHIN THE TIME PERIOD SET WILL RESULT IN FAILURE TO ENTER THE NATIONAL STAGE AND THE ABANDONMENT OF THE APPLICATION.

Additionally, the oath or declaration does not comply with 37 CFR 1.63 in that it:

1. ☐ does not identify the mailing address of each inventor. If the residence is different from the mailing address, then the city and state or city and foreign country of residence of each inventor must also be given.
2. ☐ does not state that the person making the oath or declaration:
 - a. ☐ has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
 - b. ☐ acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in 37 CFR 1.56.
3. ☐ does not identify the foreign application for patent or inventor's certificate for which a claim for priority is made pursuant to 37 CFR 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application serial number, country, day, month, and year of its filing.

John Anderson
Telephone: 703 308-9116



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

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Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.

09/889256

FIRST NAMED APPLICANT

CHOW

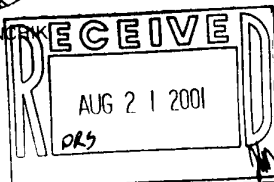
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ATTY DOK/EEI (M)

GJE-73

INTERNATIONAL APPLICATION NO.

PCT/GB00/00090

SALIWANCHIK LLOYD & SALIWANCHIK
A PROFESSIONAL ASSOCIATION
2421 N.W. 41ST STREET
SUITE A-1
GAINESVILLE, FL 32606 6669

FILING DATE

14 JAN 00

PRIORITY DATE

15 JAN 99

DATE MAILED

14 AUG 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee. ☐ Indication of Small Entity Status.
☒ Copy of the international application. ☐ Translation of the international application into English
☒ Oath or Declaration of inventors(s). ☐ Translation of Article 19 amendments into English
☐ Copy of Article 19 amendments. ☐ Other.
☒ Priority Document
☒ The International Preliminary Examination Report in English and its Annexes, if any
☐ Translation of Annexes to the International Preliminary Examination Report into English

2. Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
☐ U.S. Basic National Fee ☐ Copy of the international application

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
 4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
 7. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 or 30 months from the priority date (37 CFR 1.495(d)).

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given on the hearing and include the U.S. application no. shown above (37 CFR 1.5).

A copy of this notice *MUST* be returned with this response.

Enclosed ☒ PCT/DO/EO/917
 PTO-875

Notice of Defective Translation
 PCT/DO/EO/920

John Anderson

Telephone 703 308-9116

FORM PCT/DO/EO/905 (March 2001)